

RUTHERFORD COUNTY, TENNESSEE
16th JUDICIAL DISTRICT
RECOVERY COURT

MENTAL HEALTH COURT
PARTICIPANT HANDBOOK



WELCOME TO THE MENTAL HEALTH COURT PROGRAM!

The Mental Health Court is committed to assisting individuals with intervention, treatment and rehabilitation surrounding substance use disorders, mental illness, and criminogenic thinking.

This handbook will provide overall information about the Mental Health Court and what is expected of you as a participant. You are encouraged to share this handbook with your family and friends.

Mental Health Court participants are responsible for following all the rules of the Mental Health Court, whether established by the court, treatment personnel or supervision officers.

If you have any questions not answered in this handbook, please call the Recovery Courts Director. The entire 16th Judicial District Recovery Courts Treatment Team supports you and your efforts and will provide accountability and support.

Sincerely,

Honorable Judge Barry Tidwell &
The Mental Health Court Team

MENTAL HEALTH COURT TEAM

The team meets each week to review participants' progress through the program. The following are its active members and their positions within the program:

Judge: **Barry Tidwell**

District Attorney: **Sheila Freeze**

Public Defender: **Leslie McBride**

Program Director: **Trish Breeding** (615) 217-7124 x1142

Clinical Supervisor/Treatment Therapist: **Gayle Emery** (615) 217-7124 x1145

Treatment Therapist: **Rayne Satterfield** (615) 217-7124 x1127

Occupational Therapist: **Kaylin Flamm** (615) 217-7124 x1148

Alcohol & Drug Counselor: **Marcus Jemison** (615) 217-7124 x1143
Anthony Yanis (615) 217-7124 x1147

Case Manager: **LaChelle Ricks** (615) 217-7124 x1149
Elcindra Smith (615) 217-7124 x1136
Sierra Scott (615) 217-7124 x1137

Law Enforcement: **Lt. Richard T. Grissom**

Certified Peer Recovery Specialist: **Patience Sneed** (615) 508-5854

Veterans Crisis Hotline: (800) 273-8255 Option 1

Mobile Crisis: Text "HELP" to 741741 or (855) 274-7471

TN Redline: (800)-889-9789

My Sponsor: _____

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INTRODUCTION TO MENTAL HEALTH COURT

First and foremost, welcome to Mental Health Court. As a participant of Mental Health Court, you are expected to follow the instructions given to you in court by Judge Tidwell and the treatment team. You will also be responsible for complying with the individualized treatment plan developed specifically for you. This treatment plan will be developed by treatment staff at Mental Health Court with your input. This handbook will explain what is expected of you and provide general program information. **We encourage you to share this handbook with your direct support system so they will know about the work you are doing with the court. Support from those around you will be extremely important throughout your participation in the program.**

PLEASE NOTE THAT THE INFORMATION IN THIS HANDBOOK MAY CHANGE AS NEW MANDATES ARE RELEASED BY STATE AND FEDERAL REGULATORY AGENCIES, THE TREATMENT TEAM MAKES ADJUSTMENTS, OR FUNDING CHANGES OCCUR.

OFFICE ADDRESS & PHONE NUMBER

525 North University Street
Murfreesboro, TN 37130
Phone: (615) 217-7124
Fax: (615) 217-7127

HOURS OF OPERATION

Monday: 8:00a – 4:30p
Tuesday: 8:00a – 4:30p
Wednesday: 8:00a – 4:30p
Thursday: 8:00a – 4:30p
Friday: 8:00a – 4:30p
Saturday: Closed
Sunday: Closed

The office will be closed on all holidays recognized by the Rutherford County Government.

THE RECOVERY COURT OFFICE IS A TOBACCO AND SMOKE FREE FACILITY. YOU WILL NOT BE ALLOWED TO VAPE OR USE TOBACCO PRODUCTS INSIDE THE FACILITY.

MENTAL HEALTH COURT MISSION STATEMENT

The mission of Rutherford County Mental Health Court is to improve the overall mental health and well-being of defendants diagnosed with mental health disorders while also improving public safety, reducing recidivism and offer cost effective alternative to incarcerations and hospitalizations for participants. Rutherford County Mental Health Court provides an integrated continuum of care by exposing defendants whose mental illness is directly related to their current involvement with the criminal justice system to court supervised, community-based treatment. This is done through accountability and the utilization of community resources and partners, whereby, assisting defendants in gaining the tools to achieve long term stability.

MENTAL HEALTH COURT PROGRAM DESCRIPTION

The Mental Health Court Program is designed to be a minimum of 18 months, consisting of five (5) phases; each phase having a minimum time to complete. Treatment may consist of inpatient, residential, and outpatient treatment, or a combination of any of the above through our program, and/or other available community resources. The five phases are designed to help break the pattern of substance abuse/dependency, address mental health issues and assist with re-entry into the community.

Mental Health Court is a VOLUNTARY program for its participants but requires approval of the prosecutor, defense counsel, the referring Judge and the Mental Health Court treatment team. While there are certain things that you must complete, your ability to progress through the program and graduate will depend greatly upon your actions. If you miss court related appointments, ignore court requirements (such as making all mental health appointments and taking medication as prescribed,) or fail to remain sober your time and participation in the program can be impacted through delayed advancement through phases or possible termination.

ELIGIBILITY REQUIREMENTS

Individuals may apply for the Mental Health Court at any time prior to sentencing. In addition, an otherwise eligible probationer who becomes subject to an application to revoke their probation may be eligible for admission. Individuals must have a minimum of eighteen (18) months remaining on their probationary period in order to be eligible.

Eligibility Requirements are as followed:

- Candidate must voluntarily agree to enter the Mental Health Court.
- Candidate must be eighteen (18) years or older.
- Candidate must reside within the 16th Judicial District.
- Candidate must not have violent charges that would make them ineligible.
- Candidate must have a documented history of a severe and persistent mental illness.
- Candidate must have all legal matters in other courts and/or other jurisdictions resolved.
- Candidate must score as high risk/high need on the TNRAS.

COURT STATUS HEARINGS

Your Mental Health Court status hearings are set on Friday at 8:30 a.m. unless rescheduled ahead of time by the court. You will be given a calendar indicating the date and time you are to appear for court each month.

Court status hearings give you a chance to discuss your progress in the program directly with the Judge. The Judge is truly interested in the progress that you are making and wants to assist you in any way possible. It is still a court appearance and you are expected to speak to the Judge using appropriate words, dress appropriately, and behave in a respectful manner during the entire proceeding.

In the event of severe weather, closings will be announced by all three major television stations and radio stations. If the Rutherford County Courts are closed, there will be no court. If the Rutherford County Government is closed, the Mental Health Court office will be closed also.

JOURNAL ENTRIES

At each court appearance all participants are required to submit a journal entry for the Judge to read. This journal entry should be a one-page summary of how you are doing in the program. This journal entry is submitted to case management at court who then turns them over to the Judge. Journal entries are returned to case management the following week. Upon graduation, each participant receives their journal entries from the entirety of their program.

TREATMENT SERVICES

The Mental Health Court team will assess what level of treatment will best meet your needs and will develop an individualized treatment plan based on services available. The following services are available and may be provided to you during your participation in the program. Many of these services are provided in house, but others are the result of community partnerships with the other local agencies.

- Residential Intensive Inpatient Treatment
- Intensive Outpatient Program (IOP)
- Partial Hospitalization Program (PHP)
- Supervised Transitional Housing Programs
- Community Mental Health Referrals (Psychiatrist, etc.)
- Group Therapy
- Individual Therapy Sessions
- Relapse Prevention Class (Matrix)
- Seeking Safety Class
- Community Recovery Support Groups (AA/NA, NAMI, etc)
- Moral Reconciliation Therapy (MRT)
- Cognitive Behavioral Therapy (CBT)
- Dialectical Behavioral Therapy (DBT)
- Occupational Therapy (OT)
- Eye Movement Desensitization and Reprocessing Therapy (EMDR)
- Acudetox

- Emotional Freedom Technique (EFT)
- Sensory Regulation
- Couples and/or Family Therapy
- Equine Therapy
- Life Skills Class
- Mindfulness
- Anger Management Class
- Yoga

Note: Treatment groups continue to be added as needs are presented and training is obtained.

CASE MANAGEMENT

Your case manager will be your primary point of contact during the program. Services made available by your case manager include, but are not limited to, the following:

- Maintain contact with residential placements
- Home visits and family contacts
- Ensure drug screening
- Verify all over the counter and prescribed medications
- Verify employment status
- Verify financial obligations
- Present Phase Promotion to Treatment Team
- Conduct curfew checks (if assigned)
- Assist with budgets and schedules
- Assist the participants in understanding legal issues such as child support, custodial issues and drivers' licenses
- Assist participants with referrals to community mental health providers, physical health providers and other necessary services.
- Maintain contact with participants to ensure they are in compliance with the program.
- Annotate client notes to local and state level database.
- Communicate issues and concerns with Treatment Team.
- Is the primary person the participant is to maintain all contact with, and must be aware of what is happening in the participant's daily life.

COUNSELING

Counseling sessions are a required part of your treatment plan. Substance abuse and mental health counseling is comprised of two separate formats: individual and group. Together they are designed to develop self-awareness, self-discipline, and coping mechanisms necessary to maintain an individual's sobriety and mental health. All participants are required to meet with a therapist individually upon admission into the program to assess the need for individual sessions.

MENTAL HEALTH COURT PROGRAM

There are five (5) Core Phases of the Mental Health Court program that all participants shall adhere to until completion. If deemed clinically appropriate, trained staff will complete an ASAM on each

participant at intake, in the event of a relapse, and upon discharge. It is essential that each participant presents with honest and open communication to better establish a foundation for recovery.

****Time spent in jail will not count toward the minimum days in each phase.****

PHASE ONE (1) is designed to last a minimum of sixty (60) days. Actual program time will vary by participant. Phase One (1) includes, but is not limited to, the following:

- Meet with Case Manager in person weekly.
- Frequent & Random urine drug screens, minimum of twice weekly.
- Attend one (1) community/outside Recovery support meeting per week (if applicable).
- Attend group therapy as directed by individualized treatment plan.
- Engage with Peer Recovery Support Specialist as directed.
- Weekly court appearance
- Submit journal entry at each court appearance.
- Engage in individual therapy as deemed necessary.
- Set up a payment plan with the Criminal Court Clerk's Office for fines, fees, and court costs.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.
- Pay monthly program fees (\$50.00/mo.)

To successfully complete Phase One, participants must have fourteen (14) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan, which includes compliance with all prescription medications, and have attended 90% of the required treatment meetings.

PHASE TWO (2) is designed to last a minimum of ninety (90) days. Actual program time will vary by participant. Phase Two (2) includes, but is not limited to, the following:

- Meet with Case Manager in person bi-weekly.
- Frequent & Random urine drug screens, minimum of twice weekly.
- Attend two (2) community/outside Recovery support meetings per week (if applicable).
- Obtain a Recovery Support Sponsor (if applicable).
- Attend group therapy as directed by individualized treatment plan.
- Engage with Peer Recovery Support Specialist as directed.
- Bi-weekly court appearance.
- Submit journal entry at each court appearance.
- Engage in individual therapy as deemed necessary.
- Continued compliance of payment plan with the Criminal Court Clerk's Office for fines, fees, and court costs.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.

- Pay monthly program fees (\$50.00/mo.)

To successfully complete Phase Two, participants must have thirty (30) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan, which includes compliance with all prescription medications, and have attended 90% of the required treatment meetings.

PHASE THREE (3) is designed to last a minimum of ninety (90) days. Actual program time will vary by participant. Phase Three (3) includes, but is not limited to, the following:

- Meet with Case Manager in person bi-weekly.
- Frequent & Random urine drug screens, minimum of twice weekly.
- Attend two (2) community/outside Recovery support meetings per week (if applicable).
- Continue to engage with Recovery Support Sponsor (if applicable).
- Attend group therapy as directed by individualized treatment plan.
- Engage with Peer Recovery Support Specialist as directed.
- Appear in court every three (3) weeks.
- Submit journal entry at each court appearance.
- Engage in individual therapy as deemed necessary.
- Continued compliance of payment plan with the Criminal Court Clerk's Office for fines, fees, and court costs.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.
- Pay monthly program fees (\$50.00/mo.)

To successfully complete Phase Three, participants must have forty-five (45) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan, which includes compliance with all prescription medications, and have attended 90% of the required treatment meetings.

PHASE FOUR (4) is designed to last a minimum of one hundred twenty (120) days. Actual program time will vary by participant. Phase Four (4) includes, but is not limited to, the following:

- Meet with Case Manager in person monthly.
- Frequent & Random urine drug screens, minimum of twice weekly.
- Attend three (3) community/outside Recovery support meetings per week (if applicable).
- Continue to engage with Recovery Support Sponsor (if applicable).
- Attend group therapy as directed by individualized treatment plan.
- Engage with Peer Recovery Support Specialist as directed.
- Appearance in court every four (4) weeks.

- Submit journal entry at each court appearance.
- Engage in individual therapy as deemed necessary.
- Continued compliance of payment plan with the Criminal Court Clerk's Office for fines, fees, and court costs.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.
- Pay monthly program fees (\$50.00/mo.)

To successfully complete Phase Four, participants must have three months (90 days) consecutive days of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan, which includes compliance with all prescription medications, and have attended 90% of the required treatment meetings.

PHASE FIVE (5) is designed to last a minimum of one hundred eighty (180) days. Actual program time will vary by participant. Phase Five (5) includes, but is not limited to, the following:

- Meet with Case Manager in person monthly.
- Frequent & Random urine drug screens, minimum of twice weekly.
- Attend three (3) community/outside Recovery support meetings per week (if applicable).
- Continue to engage with Recovery Support Sponsor (if applicable).
- Attend group therapy as directed by individualized treatment plan.
- Engage with Peer Recovery Support Specialist as directed.
- Appearance in court every four (4) weeks.
- Submit journal entry at each court appearance.
- Engage in individual therapy as deemed necessary.
- Continued compliance of payment plan with the Criminal Court Clerk's Office for fines, fees and court costs.
- Engage in positive daily activity. This can be employment, schooling, or volunteer work.
- Development of a Discharge Plan with Case Manager.
- Pay monthly program fees (\$50.00/mo.)

To successfully complete Phase Five, participants must have ninety (90) days consecutive of abstinence from all mood-altering substances. This is evidenced by negative urine drug screens. Any non-negative and/or missed screens may result in an extension of the phase. Participants must also be in compliance with their individualized treatment plan, which includes compliance with all prescription medications, and have attended 90% of the required treatment meetings.

COMMENCEMENT FROM MENTAL HEALTH COURT

Prior to the completion of Phase Five (5) the participant will be presented to the Treatment Team to discuss eligibility for Graduation/Commencement. Prior to this, the participant will complete a *Graduation Questionnaire* and return to their Case Manager.

At a minimum of quarterly, the 16th JDRC Mental Health Court will hold a formal commencement ceremony to honor those who have successfully completed the program. The purpose of this celebration is to recognize the commitment each graduate has made to themselves, their family, and their community. The participant will be encouraged to participate in the group graduation but will not be required to make any public statements regarding the program. The participant will not be required to perform in public gatherings or have photographs used without their written consent.

Successful completion of the 16th JDRC may result in a reduction of court costs, fines, and fees, the dismissal of criminal charges, or a reduction in the terms of the graduate's probation period. This is a decision that is dependent upon the originating Judge.

TERMINATION FROM MENTAL HEALTH COURT

The 16th JDRC is a voluntary program. A participant may voluntarily terminate their participation in the program at any time. The participant should inform their Case Manager of their decision to exit the program and the Case Manager will present the information to the Treatment Team. This will result in the participant returning to their court of origin for a due process hearing or the imposition of the sentence associated with their charges.

Outside of self-termination, participants in the 16th JDRC can be terminated as a Treatment Team decision as carried out by the Judge. The following situations may result in termination.

- Participant has continually failed to follow the rules of the 16th JDRC.
- Participant attempts to adulterate a urine drug screen.
- Participant needs are outside the scope of services provided at the 16th JDRC.
- Participant is re-arrested for new criminal charges while in the program.
- Participant knowingly involves another participant in prohibited actions.
- Participant enters a sexual/romantic relationship with another 16th JDRC participant.
- Participant absconds.

TELEPHONE POLICY

Mental Health Court Participants must have a telephone (or cell phone) at client's place of residence to participate in the program. While clients are residing at a transitional housing, they are to follow the house rules. Therefore, if the placement house has a restriction on cell phones the phone number for the placement house is the contact number for the client. If client does not have a phone, the Mental Health Court team reserves the right to require electronic monitoring at participant's expense.

ATTENDANCE

Attendance at court sessions, treatment sessions, mental health appointments, and support recovery meetings is mandatory! You will be assigned a weekly group and will be expected to attend every group. Excused absences are the exception, not the rule. Occasionally, participants may be granted excused absences from court, treatment, or other scheduled appointments for the following reasons:

- Severe medical emergencies
- Other court obligations
- Illness (must have a doctor's note)
- Death in your immediate family

Unless you are proven unconscious, you must call your case manager prior to seeking treatment for any medical emergency, and proof of the emergency must be given for an absence to be excused after non-attendance. In cases of non-emergency illnesses, you must report to the office/meeting first and request to be excused.

In the event of a death in your immediate family, you must call your case manager or treatment counselor. Proof may be required and if so, a copy of the obituary or some other form of information can be provided. Unexcused absences may result in a sanction if the judge decides it is necessary.

TELEHEALTH POLICY

If attendance of court, treatment sessions or case management appointments is not an option due to illness, medical quarantine, or death of an immediate family member, participants may be asked to report via teleservices. Mental Health Court is set up to utilize a HIPAA compliant platform which allow the privacy of all participants. When utilizing teleservices, participants should ensure that they are in a private setting where others cannot overhear. It is recommended that headphones are utilized. During telehealth sessions, participants should be fully clothed and adhere to the same guidelines as if in person at the 16th JDRC facility.

TRAVEL REQUESTS

Participants may submit a leave request, in writing, for the team to consider once they enter Phase 2. The Mental Health Court Team must approve the leave request prior to leave being taken and the following conditions must apply:

- You must be in Phase 2 (or above) of the Mental Health Court Program.
- You must attend support meetings during, before and/or after your leave depending on the details of the request.
- You must have an important reason for the leave request.
- You must have approval from the Mental Health Court before taking leave.
- You must submit the request in time for the team to discuss it prior to the date of the leave requested (14 days prior). Staffing is held on Thursdays; leave must be submitted prior to Treatment Team Meeting.
- You must be in compliance with the Mental Health Court.
- If you are under the supervision of another agency, you must also be in good standing with that agency and have their approval.
- You must report for a drug screen the day prior to leaving and upon your return.

****You are advised not to make reservations of any sort until you have been informed that your Travel Request has been approved.****

ANY VIOLATION OF THE TERMS OF YOUR TRAVEL PASS, MAY RESULT IN FUTURE TRAVEL REQUESTS BEING DENIED.

HOUSING PLACEMENTS

Placements are NOT punishment. They are used to give support for Mental Health/Recovery and a safe environment to help with your transition. You may be required to live in a supported transitional housing placement if:

- You do not have a stable, supportive home to go to after your jail release.
- People living in your home use illegal drugs and are under the supervision of the court or other legal issues are present.
- People living in your home are not equipped to assist you with the people, places and things that need to change.
- You need more structure and accountability.
- You request it.
- The Mental Health Court determines it is in your best interest.

During your stay at placements, you must:

- Follow all the rules of the placement and Mental Health Court.
- Apply to the Mental Health Court Team for any overnight or weekend passes. You must be in Phase 2 or above and complete a Travel Request Form with your Case Manager.
- Attend Mental Health Court status hearings, as scheduled, unless other arrangements are made by our placement and case manager.
- Attend Mental Health Court classes as scheduled.
- Complete a transitional-living plan with the placement and your case manager before leaving.
- Submit to all drug screens required of the housing placement and the Mental Health Court program.
- Engage in treatment and maintain compliance.

HOME VISITS

Mental Health Court staff may visit you at your home or place of employment. Home visits may be random. Therefore, it is imperative that the address and phone number provided to the 16th JDRC are accurate.

TRANSPORTATION POLICY

Participants must arrange transportation in advance for office visits, treatment, and court. The Mental Health Court staff does not have the ability to be the primary mode of transportation. If transportation becomes an issue, you shall immediately notify your case manager so that all solutions can be examined.

SEARCH POLICY

Participants of the Mental Health Court program are subject to random searches for the protection and safety of staff and fellow participants. Searches may be conducted if there is reasonable suspicion of illegal activity or safety concerns. Search methods may include pat searches (conducted by same sex staff members,) automobile search, or no-contact search of participant and/or their personal property.

Participants of the 16th JDRC voluntarily consent to allow the staff to search their person, automobile or residence at any time without a warrant. This search will be for the purpose of ensuring compliance with the agreement made with the Mental Health Court and may be conducted without probable cause.

Any contraband that is discovered during the search may be confiscated by staff.

CHILDCARE POLICY

The 16th JDRC does not currently provide childcare services to participants. The Mental Health Court staff will assist all participants in locating and obtaining adequate childcare services to allow for full participation in the Mental Health Court program. In instances where childcare falls through, the participant is responsible for contacting their Case Manager to make arrangements for any missed treatment sessions.

PARTICIPANT PERSONAL BELONGINGS POLICY

The 16th JDRC building does not currently have the capacity available to store client belongings. Any personal property left at the 16th JDRC building for greater than 30 days will be donated or disposed of. Any exceptions must be requested in writing to the Director of Recovery Courts.

RECOVERY SUPPORT MEETINGS

Recovery-support meetings, such as Alcoholics Anonymous (AA), Narcotics Anonymous (NA), National Alliance for Mental Illness (NAMI) or other similar programs may be required. There is a variety of meetings in the county. Your Case Manager has a list of locations, meeting dates, and times. You may pick which ones you would like to attend. How many meetings you are required to attend each week depends on what program phase you are in, your treatment plan and on the discretion of your Case Manager and/or the Mental Health Court Treatment Team. Obtaining and working with a sponsor may be part of this requirement. At the meetings you need to:

- Be honest
- Listen to others and be respectful
- Find a Sponsor (as required)
- Gain additional support for your Recovery
- Maintain confidentiality

WORK, COMMUNITY SERVICE AND/OR SCHOOL

As part of the Mental Health Court Program, you are required to:

- Receive SSI/SSDI, and/or
- Maintain gainful employment and/or
- Complete community service work, and/or

- Enroll in school full-time

You may choose a combination of these, but it must be approved by the Treatment Team. You are required to provide proof of hours worked, hours in school, and/or hours involved in community service. Your Case Manager will occasionally check with your employer, school, or community service agency or group to verify your report.

FINANCIAL RESPONSIBILITIES

You are responsible for meeting all of your financial obligations such as:

- Court costs
- Fines
- Restitution
- Mental Health Court Program Fees
- Drug Screen Conformation Fees
- Probation fees
- Placement House Rent (if you are a resident)
- Monthly rent/mortgage if you are not in a transitional housing placement
- Maintain a telephone and make sure the Mental Health Court has the correct phone number on file.

For court-related costs and fees, unless a specific amount is ordered by the court, payment schedules are to be established with the Rutherford County Criminal Court Clerk's Office and documented for the Judge's approval. Failure to make timely payments may result in delaying your phase promotion or completion of the program. You must provide your case manager with proof of regular payments being made on all fees, costs, fines, restitution, and placement house rent.

If you are having difficulty making the payments, please notify your case manager immediately.

DRUG TESTING

Random drug and alcohol screening will be required of all participants entering the Recovery Court programs. Drug and alcohol testing will be administered by Averhealth, a third-party vendor, located at 805 S Church Street Murfreesboro, TN 37130. All tests conducted are laboratory tests.

Non-negative drug screen results include positive test results, missed drug screens, tests where an insufficient sample is provided or where the participant is unable to provide a sample. A non-negative result can also mean that a specimen was adulterated (tampered with), substituted or invalid. Test results showing abnormal creatinine are considered a non-negative result.

Random drug testing protocols include the following:

1. Upon entry into the program, each participant will be assigned a Pin Number for Averhealth. Participants will call the drug screen line **(629) 201-2988** daily after 6am to

see if they are called for testing. The drug screen line must be called 7 days per week, 365 days per year.

2. Averhealth business hours are from 12:00pm-4:00pm Monday-Friday. On weekends and holidays, hours are 9:00a-12:00pm.
3. All specimens will be collected under direct observation, following Averhealth protocol.
4. If a screen is completed by another approved agency, the Recovery Court office will receive a copy of the drug testing form (unless otherwise approved.) Any outside agency used for drug testing must be pre-approved by the Director of Recovery Courts and the treatment team must agree.
5. It is the participant's responsibility to make sure the staff is aware of all medications they are prescribed prior to drug testing (refer to medication policy).
6. It is the participant's responsibility to know if they are called for a screen and to make the appropriate arrangements. Failure to do so is considered a non-negative screen.
7. Participants are required to call the drug screen line daily to see if they have a drug screen. Staff may also contact participants to report for a drug screen. When this occurs, failure to report will be considered a missed screen.
8. It is the participant's responsibility to report to the assigned location at the time given for the test.
9. If the participant is late for a test, or misses a test, it will be considered as a non-negative test for drugs/alcohol and the participant may be sanctioned.
10. If a participant fails to produce a urine specimen or if the sample provided is not of sufficient quantity, it will be considered as a non-negative test for drugs/alcohol and they may be sanctioned.
11. If a participant produces a sample with abnormal creatinine, it will be considered a non-negative test for drugs/alcohol and they will be sanctioned. The participant is informed that the ingestion of excessive amounts of fluids can result in a diluted urine sample and they understand that their urine sample will be tested to ensure the sample is not dilute.
12. Participants are informed that substituting or altering their specimen or trying in any way to modify their body fluids for the purposes of changing the drug testing results will be considered as a non-negative test for drugs/alcohol and will result in sanctioning and may be grounds for immediate termination from the program.
13. Participants are informed that the use of creatinine supplements are prohibited while participating in Recovery Court.
14. If a participant is non-negative for any substance that requires a specialized test for confirmation, (e.g. Synthetic Cannabinoids/Synthetic Drugs, Gabapentin, Neurontin, CBD, Wellbutrin, Ketamine, Kratom, etc.) participant may be responsible for the cost of that specialized drug screen.
15. If a participant would like to dispute the results of the initial laboratory testing, the participant is required to pay the additional costs associated at Averhealth.

Each participant agrees to the following regarding UDS at program intake:

- All non-negative drug/alcohol screens will be reported to the Treatment Team at the weekly meeting. Non-negative screens may result in a sanction. The Team will make sanction recommendations to the presiding Judge who will determine the appropriate sanction.
- Using, possessing, or being in the presence of any illegal drugs, drug paraphernalia or alcohol will result in a sanction.

- A participant's final ninety (90) days of drug/alcohol screens must be free of drugs and/or alcohol for that participant to be considered for Graduation/Commencement.

Honesty is the guiding principle for the Recovery Court Program. Therefore, the team may use discretion in determining the sanction or choose not to impose a sanction if a participant self-reports use absence of a scheduled drug screen or prior to a drug screen. The team will consider the following in making this determination:

- Participant personal safety
- Safety issues to the general public or community
- How many sanctions previously imposed
- Treatment compliance and recommendations
- Program and supervision compliance

MEDICATION USE

As a person who is actively drug testing as part of this treatment court, it is very important that you not take certain medications, as they could be detrimental to your recovery as well as cause positive drug screen results.

Remember, once sworn into the program no over-the-counter medications may be taken without permission!

MOOD-ALTERING SUBSTANCE POLICY

Many medications are mood-altering, either as their primary purpose or as a side effect. For a person who needs these medications and uses them appropriately, mood-altering medications are positive and promote the person's overall well-being. However, for people trying to recover from addictions to substances in this category, mood-altering medications can be extremely dangerous. Because of these dangers, Mental Health Court participants are prohibited from taking mood-altering medications unless all the following conditions are met:

- The medication is necessary and truly promotes the person's health and well-being and does not cross-react with the drug screens used by the Mental Health Court.
- The prescription is written by a physician who is aware or made aware of the person's history of substance abuse and status as a Mental Health Court participant. The participant is required to provide a copy of this policy to the treating physician. The prescription must be reviewed regularly, and these actions must be documented by use of the appropriate Mental Health Court form.
- The Mental Health Court Team has given approval prior to the participant's filling the prescription.
- The Participant understands and agrees that random pill counts and calls to pharmacies may be required as an additional method to verify that she/he is taking the medication as prescribed. The participant understands that this medication cannot be left accessible to any other person, especially any other Mental Health Court participant.
- The Mental Health Court participant fully understands these conditions, agrees to them, and acknowledges that taking this medication in any way other than exactly how it is prescribed

will be treated as a positive drug screen, subject to the same sanctions as any other positive drug screens.

The use of such substances will be considered on a case-by-case basis and the Mental Health Court Team reserves the right to exercise its reasonable discretion with respect to each case.

Once in the program, documentation of all medications prescribed by a physician must be on file, this includes any change in dosage. All medications must be taken as they are prescribed. If you are not compliant with your prescription medications, the Treatment Team may require you to take the shot form of the medication to assist with compliance.

APPROVED “OVER THE COUNTER” MEDICATIONS

The following medications are approved for 16th JDRC participants to take without prior approval of the Case Manager. This medication **MUST** be taken for the labeled ailments and at the recommended dose found on the label. Taking more than the recommended dose may result in a positive drug screen. Please make certain that you read the entire label to ensure that there are no additives (i.e Tylenol Cold/ Tylenol PM/ Mucinex DM) that may result in a positive UDS. If you have any questions about a medication, please contact your Case Manager.

FOR PAIN:
(No PM
Formula)

Acetaminophen (Tylenol)
Ibuprofen (Advil, Motrin)
Aspirin (Ecotrin)
Naproxen (Aleve)
Excedrin Migraine

JOINT PAIN:

Ben Gay muscle rub &/or thermal patches
Icy Hot muscle rub &/or thermal patches

FOR STOMACH:

Mylanta
Milk of Magnesia
Pepto Bismol
Pepcid (Famotidine)
Prilosec (Omeprazole)
Tums/Rolaids

FLU SYMPTOMS:
(No PM formula)

Theraflu
Alka-Seltzer

ALLERGY/ COUGH & COLD:

(No “D” or “DM”
Formula)

Claritin (Loratadine)
Allegra (Fexofenadine Hydrochloride)
Zyrtec (Cetirizine Hydrochloride)
Seldane (Terfenadine)
Nasal Strips
Saline Nasal Spray
Vick’s Vapor Rub

VITAMINS:

Multi-Vitamin
Pre-natal Vitamin

Your Case Manager will tell you what approved medications you may take if you have a cold, headache, or other minor illness. **While under the supervision of the 16th JDRC, you are NOT permitted to ingest CBD products, kratom, products containing poppy seeds, or products containing alcohol.** It is your responsibility to be aware of what you are putting in your body. Please read the full ingredients list on all products as alcohol is a main ingredient in many over the counter meds, mouth washes and vanilla extract. Failure to report medication (prescribed or over the counter) use prior to a positive drug screen is considered a positive screen and a sanction may be imposed. It is highly recommended that energy drinks be used in moderation as they may alter the outcome of your screens.

THE BOTTOM LINE: The use of any materials (i.e. chemicals, ingestibles, drugs, non-medicinal products, non-FDA approved supplements, etc) that have the potential to interfere with the court's ability to accurately and reliably evaluate or interpret the results of abstinence monitoring/drug testing ARE PROHIBITED.

MEDICATION ASSISTED TREATMENT (MAT)

Medication-assisted treatment (MAT) is the use of medications in conjunction with counseling and behavioral therapies to treat substance use disorders and prevent opioid overdose. Research shows that a combination of medication and therapy can successfully treat these disorders, and for some people struggling with addiction, MAT can help sustain Recovery. MAT is primarily used for the treatment of addiction to opioids such as heroin and prescription pain relievers that contain opiates but may be utilized for the treatment of alcohol use disorder as well. The 16th JDRC allows for the use of Methadone, Naltrexone (Vivitrol) and Buprenorphine (Suboxone) while in the program, if you are under the supervision of a trusted medical professional.

Prior to enrolling in a MAT program, please consult with your Case Manager to ensure that you follow the proper protocol. All MAT providers must be willing to provide the 16th JDRC with a comprehensive treatment plan surrounding your participation in a MAT program.

SANCTIONS AND INCENTIVES

It is important to understand that part of the Recovery process is change and we recognize that change is not always an easy process. This program is designed to deal with issues of non-compliance by issuing sanctions for noncompliance that are determined by the Mental Health Court Treatment Team. Sanctions used by the Mental Health Court include, but are not limited to:

- Admonishment
- Meeting with Team
- Designated Community Service Hours
- Writing Assignments
- Increased drug testing
- Increase support group
- Daily check-ins
- Home visits

- Suspension of privileges
- Verbal/Written apology to other participants and court
- GPS monitoring
- Behavioral contract/Probation
- House Arrest or earlier curfew
- Special assignment such as attending full criminal court sessions
- Phase extension
- Restarting of current phase
- Incarceration

Incentives are also used to recognize accomplishments and reward those individuals who are working their program and making forward progress in their Recovery. Incentives used by the Mental Health Court include, but are not limited to:

- Certificates for completion of the phases
- Certificates for completion of classes
- Verbal recognition
- Applause from the Judge, Team and others present
- Handshake from Judge
- Waive fees/Fee reduction
- Remove/Reduce sanctions
- Travel privileges
- Leave early from court
- Food and coffee during class
- Medallions or coins
- Other tangible rewards
- "Bow Bucks"

Bow Bucks given in court, by Judge Tidwell when a participant is following their treatment plan. Five (5) Bow Bucks can be turned into your Case Manager for the following:

- \$5 off of program fees
- Reduction of CSW by 1 hour
- Substitution for 1 Recovery Support Meeting
- Move to the front of the line at court status hearing

PARTICIPANT RESPONSIBILITIES/RIGHTS

- Participants are not responsible for the emergency transportation or emergency medical care of other program participants in the case of an emergency
- Participants are not responsible for the care of other program participants
- Participants are not responsible for the supervision of other program participants
- Participants are not required to access confidential information for the completion of any program related task

- Participants of the Mental Health Court have the right to treatment regardless of race, creed, national origin, religion, sexual preference/orientation, and/or gender.
- Participants have the right to considerate, respectful care with recognition of their personal dignity and individuality. Internal policies will ensure that each participant is given respect and consideration and will be protected from all forms of exploitation. No verbal, physical, fiduciary or psychological abusive behavior is allowed by the Mental Health Court at any time.
- Participants have the right within law to personal and informational privacy as covered under Federal Confidentiality (42 CFR part 2) and Health Insurance Portability and Accountability Act of 1996 (HIPPA) (45 CFR parts 160 & 164) regulations
- Participants have the right to refuse to see or talk with anyone not officially connected with the Mental Health Court.
- Participants have the right to expect his/her treatment records to be kept in a locked file, accessible only to those involved in his/her treatment or those responsible for monitoring treatment quality
- Participants have the right to expect his/her presence and activities to be totally confidential unless he/she gives permission otherwise
- Participants have the right to expect reasonable safety; Every reasonable effort will be made to ensure a participant's safety
- Participants have the right to be fully informed upon admission about their rights and responsibilities and about any limitations on these rights, which might be imposed by the rules of the Mental Health Court
- Participants have the right to be assisted by the Mental Health Court and exercise their civil rights
- Participants have the right to be free of any requirements by the Mental Health Court that are ordinarily performed by the 16th JDRC staff
- Participants have the right to privacy and freedom in the use of the Mental Health Court restroom (except when submitting a direct observation urine drug/alcohol screen)
- Participants may request from the Mental Health Court staff a review of their personal record in order to correct any false information
- Participants have the right to contact outside legal, medical and advocacy services
- Participants have the right to not be involved in any on-site research projects
- Participants have the right to voice grievances to the Mental Health Court staff, to and to outside representatives of their choice with freedom from restraint, interference, or discrimination
- Participants have the right to be treated with consideration, respect, and full recognition of their dignity and individuality
- Participants have the right to be protected by the Mental Health Court from neglect; from physical, verbal, and emotional abuse (including corporal punishment), and from all forms of exploitation
- Participants have the right to be free of any requirement by the Mental Health Court that they perform services that are ordinarily performed by staff
- Participants have the right to participate in the development of their individual

program plans and to receive sufficient information about proposed and alternative interventions and program goals to enable them to participate effectively

TITLE VI

The 16th Judicial District Mental Health Court assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity. The 16th Judicial District Mental Health Court further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether these programs are federally funded or not.

If you believe that you have been aggrieved by an unlawful discriminatory practice by an employee of the 16th Judicial District Mental Health Court under Title VI, you have the right to file a formal complaint. Any such complaint must be in writing and filed with the Rutherford County Department of Human Resources. Title VI Discrimination Complaint forms may be obtained by contacting Sonya Stephenson at (615)494-4480.

RELEASES OF INFORMATION & CONFIDENTIALITY

The program's policy on participant confidentiality and the need for releases of information should be clearly explained. Participants should be assured that their information is protected and will only be utilized for the intended purpose of the Mental Health Court program.

GRIEVANCE PROCEDURES

Every effort should be made to resolve issues within the Mental Health Court before a written grievance is filed. All active Mental Health Court participants may file a grievance, by requesting the *Grievance Procedure Form* from the Mental Health Court staff. A completed grievance form will be reviewed by the following until it is resolved:

1. Clinical Supervisor of the Recovery Courts
2. Rutherford County Director of Recovery Courts
3. Rutherford County Human Resources Director and Title VI Coordinator

If the complaint is directly related to the Recovery Director, the process will begin with step three (3).

A meeting will be held with the participant within five (5) business days of the filing of a grievance.

Certain matters are subject to grievance by a participant and certain matters are not. The following ARE examples of matters that are appropriate for filing a grievance:

- Abusive/distasteful language directed specifically at the participant and/or his/her family;
- Physical/sexual abuse or harassment; and/or
- Conflicts of interest, such as the 16th JDRC staff receiving personal benefit from actions which he/she directs of the participants.

The following are examples of matters that ARE NOT accepted for grievance:

- Mental Health Court Policies & Procedures, rules & regulations

PARTICIPANTS MUST FILE GRIEVANCE WITHIN 45 DAYS OF THE ALLEGED INCIDENT; OTHERWISE THE GRIEVANCE DOES NOT APPLY

CONCLUSION

The Mental Health Court is dedicated to supporting you through the cooperation and collaboration of the Judge, prosecutor, defense counsel, probation authorities, case managers, counselors, peer specialist, and an array of local service providers. This effort is intended to facilitate successful outcomes for you and your family. Our hope is that we can be a positive support in your journey to recovery.

Acknowledgements/Consents

Please initial the following:

- _____ I acknowledge receipt of the Mental Health Court (MHC) Participant Handbook.
- _____ The material contained in the MHC Participant Handbook has been explained to me verbally. All of my questions have been answered, and I freely and voluntarily choose to participate.
- _____ I understand that Recovery Court (RC) staff maintain office hours from 8:00-4:30p and will not be reachable outside of those hours.
- _____ I was given a list of my rights as a participant of Mental Health Court.
- _____ I authorize the Mental Health Court Treatment Team whose members include representatives from: Rutherford County Public Defender's Office, Rutherford County Sheriff's Office, Rutherford County District Attorney's Office, Rutherford County Human Resources Office, Tennessee Department of Mental Health and Substance Abuse Services, Judge Barry Tidwell and members of the Mental Health Court staff to discuss my case openly as part of treatment planning, but to maintain the upmost of confidentiality with my personal information.
- _____ I authorize MHC Staff to Contact me, if needed, by way of text message on my personal phone or email. I understand that texting/emailing will not be utilized for counseling purposes.
- _____ I understand that MHC staff can require a UDS at any time.
- _____ I understand that dilute urine samples will be counted as a positive urinalysis and treated as such.
- _____ I understand that I must obtain permission from my Case Manager to take any medications that are not on the "Approved" list in this handbook. Once medication is approved, I must take it as directed.
- _____ I will attend all mental health and physical health appointments as directed.
- _____ I understand that I am responsible for any substances that I choose to put in my system. If there are any questions about whether a medication or similar product is approved, I will ask my Case Manager prior to consuming them.
- _____ I understand that RC staff can visit me at my home or place of employment.
- _____ I understand that RC staff can conduct a search of my person, my automobile and/or my personal belongings at will.
- _____ I agree to follow the guidelines surrounding the use of telehealth services when unable to attend treatment sessions in person.
- _____ I understand that my outside support group requirements change throughout my time in the program and that I am responsible for obtaining valid signatures confirming that I am attending these outside meetings. I understand that forging signatures is a sanctionable action.
- _____ I understand that the information in this handbook may change as new mandates are released by state and federal regulatory agencies, the treatment team makes adjustments, or funding changes occur.

Signature of participant

Date

Signature of witness/staff

Date